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*Attorney for Plaintiff* HANNAH HILL

**UNITED STATES DISTRICT COURT**

**WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

HANNAH HILL,

Plaintiff,

v.

WESTERN TOWBOAT COMPANY,

Defendant.

Case No.:

**COMPLAINT**

**JURY DEMAND**

**ACTION UNDER SPECIAL RULE FOR SEAMEN TO SUE WITHOUT  
SECURITY AND PREPAYMENT OF COSTS  
(28 U.S.C. §1916)**

Plaintiff, Hannah Hill, through undersigned counsel, alleges the following causes  
of action against Defendant, Western Towboat Company.

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COMPLAINT AND JURY DEMAND  
CASE NO.:  
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**GENERAL ALLEGATIONS**

1  
2 1. Plaintiff is a seaman and brings this action pursuant to the provisions of 28  
3 U.S.C. § 1916 without prepayment of fees and costs and without deposit of security  
4 therefor.  
5

6 2. This action is brought under 46 U.S.C. § 2114 and RCW 49.60 *et seq.* This  
7 District Court has jurisdiction pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1332, and 28 U.S.  
8 Code § 1367.  
9

10 3. At all relevant times, Plaintiff was and is a United States citizen and is  
11 currently a resident of Alaska.  
12

13 4. Defendant, Western Towboat Company (“Western”), was and is a  
14 Washington for-profit corporation doing business in Washington with a principal place of  
15 business in Seattle.  
16

17 5. Venue is proper pursuant to 28 U.S. Code § 1391(b) because Defendant is a  
18 resident of the State in which the District is located and all or some of the events or  
19 omissions giving rise to this claim arose within the District.  
20

21  
22 **FACTS**

23 6. Plaintiff was hired by Western to work as a deckhand on its fleet of tugs and  
24 barges.  
25  
26  
27  
28

1           7.     Western's vessels are used for shipping goods between and among the  
2 various ports of the U.S. west coast, including throughout Puget Sound and Washington  
3 State.  
4

5           8.     Upon information and belief, at all relevant times, Plaintiff was one of only  
6 two women working aboard Western vessels.  
7

8           9.     On March 1, 2023, Plaintiff reported to Western's crewing manager, Tom  
9 Brady, that she had suffered multiple instances of sexual harassment while at sea with Chief  
10 Mate Bill Fitting on the tug OCEAN RANGER from February 13, 2023, through March 1,  
11 2023.  
12

13          10.    Plaintiff also reported the instances of sexual harassment to Rich  
14 Christiansen, Western's Port Captain and President of Operations, by email on March 1,  
15 2023. She explained that Mr. Fitting:

- 16               a.     told her to "enjoy the little things in life, like coffee and orgasms;"  
17               b.     explained to Plaintiff that she could never promote to captain at  
18 Western because she was a woman. He specifically stated that, "Too bad your tits  
19 and vagina are the only things standing in your way;"  
20               c.     stood uncomfortably close to Plaintiff in the engine room;  
21               d.     put his hand on Plaintiff's back in the engine room; and  
22               e.     folded Plaintiff's laundry without her knowledge or permission—  
23 including her underwear.  
24  
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1           11. In her March 1, 2023, email, Plaintiff also explained that she reported Mr.  
2 Fitting's sexist comments to Captain Matt Suiter aboard OCEAN RANGER shortly after  
3 the incident. Captain Suiter chuckled and responded, "he's probably right."  
4

5           12. Immediately after reporting the harassment, Western transferred Plaintiff to  
6 its local fleet of vessels. This caused Plaintiff uncertainty about her work schedule and  
7 income. Thereafter, Western permanently changed the nature of Plaintiff's job after her  
8 report of harassment to management, limiting her to local trips in Puget Sound instead of  
9 the long-range hitches to Alaska that she preferred.  
10

11           13. Throughout her time on Western vessels, Plaintiff was continually subjected  
12 to the sexualization of women which amounted to a hostile work environment. Examples  
13 included, *inter alia*:  
14

15           a. While Plaintiff was aboard Western's tug TRIUMPH on or about July  
16 10, 2023, she was exposed to a photograph hanging in the spice cabinet showing a  
17 fully nude woman with her legs spread open which advertised  
18 "hotvegasbabeslv.com." Plaintiff was so disturbed that she took a  
19 contemporaneous photograph;  
20  
21

22           b. Also hanging in TRIUMPH's spice cabinet were multiple fake \$10  
23 bills adorned with a topless woman stroking her own breasts and advertising  
24 "Dream Girls Sodo" in Seattle. Plaintiff was so disturbed that she took a  
25 contemporaneous photograph;  
26  
27  
28

1           c.       While Plaintiff was aboard Western’s tug TRIUMPH on or about July  
2           10, 2023, she was exposed to a whiteboard labeled “SHIT WE NEED.” On the list  
3           of things needed was a crude sexual reference: “Lou Sassole.” Plaintiff was so  
4           disturbed that she took a contemporaneous photograph;

5  
6           d.       On or about June 29, 2023, Plaintiff was exposed to a very worn copy  
7           of “Hustler XXX” magazine, self describing the content as “100% HARD.” The  
8           pornographic magazine was atop a stack of industry magazines in a Western vessel  
9           common area—including “International Tug & OSV.” Plaintiff was so disturbed  
10          that she took a contemporaneous photograph; and,

11  
12  
13          e.       After being transferred to Western’s local vessel fleet, Plaintiff was  
14          exposed to a shower curtain in a Western vessel’s communal shower that was  
15          covered from top to bottom by a large image of a naked woman wearing only a  
16          sombrero and holding a scarf over her breasts. Plaintiff was so disturbed that she  
17          took a contemporaneous photograph.

18  
19          14.      On October 24, 2023, Western First Mate Michael McCulley advised  
20          Plaintiff that she was likely “black balled” from the industry because of her complaint  
21          against Mr. Fitting in March. After Plaintiff confronted Mr. McCulley about his statement,  
22          Mr. McCulley refused to continue working with Plaintiff.

23  
24          15.      On November 7, 2023, Mr. McCulley was proven correct about the black  
25          balling. Western terminated Plaintiff involuntarily under the pretext of “continued  
26          managerial issues with onboard supervisors as well as teamwork concerns with peers.”  
27  
28

1 This effectively ended Plaintiff's career in the maritime industry and dramatically reduced  
2 her ability to earn money.

3  
4 16. Western's pretextual, backfill reasoning to terminate Plaintiff after reporting  
5 sexual harassment—and generally making it difficult for the male crewmembers to  
6 continue unimpeded their locker room talk and boys' club attitude—was inconsistent with  
7 the documented employee reviews received by Plaintiff. Plaintiff received no written or  
8 verbal warnings, was not on a work improvement plan, and was not receiving assistance  
9 from HR or any other manager to mediate teamwork issues.

10  
11 17. Plaintiff was terminated because she stood up to the men who caused and  
12 contributed to the sexual harassment and hostile work environment directed towards her as  
13 a young woman who typically worked only among men on Western vessels. Western and  
14 the men employed there retaliated against her.

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18 **FIRST CLAIM:**  
19 **DISCRIMINATION AND RETALIATION AGAINST A SEAMAN**  
20 **(Against Defendant)**

21 18. Plaintiff hereby realleges and incorporates paragraphs 1-17 as previously  
22 stated.

23 19. Plaintiff now sues under 46 U.S.C. § 2114, Seaman's Protection Act  
24 ("SPA").

25  
26 20. Plaintiff was at all relevant times a seaman as that term is understood under  
27 46 U.S.C. § 2114.

1           21. Plaintiff was serving aboard a U.S.-flagged seagoing vessel at all times  
2 relevant to the case.

3           22. Plaintiff engaged in protected activities including that she, *inter alia*, in good  
4 faith reported (or was about to report) sexual harassment against herself to the vessel  
5 owner.

6           23. Plaintiff was discharged, discriminated against, and retaliated against  
7 because she engaged in a protected activity—specifically because she made a report (or  
8 was about to report) sexual harassment against herself. And Plaintiff's protected activities  
9 caused or at least contributed to Western's decision to take adverse action against her.  
10

11           24. Western's actions could dissuade a reasonable seaman from engaging in SPA  
12 protected activities.

13           25. Plaintiff has been damaged by the actions of the Defendant in this case and  
14 continues to be damaged as a result of retaliation and discrimination against her for  
15 reporting sexual harassment against herself.

16           26. Plaintiff properly filed her complaint under the SPA before the U.S.  
17 Department of Labor on November 13, 2023. On July 10, 2024, there being no final order  
18 of the Secretary 210 days after the case was filed and because there was no showing of  
19 delay due to bad faith of Plaintiff, the Department of Labor authorized Plaintiff to file this  
20 case, *de novo*, in federal court.  
21

22           27. Plaintiff has been required to hire the services of an attorney and seeks  
23 recovery of all fees, expenses, and damages permitted.  
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**SECOND CLAIM:**  
**SEXUAL HARASSMENT, HOSTILE WORK ENVIRONMENT, AND**  
**RETALIATION UNDER RCW 49.60 ET. SEQ.**  
**(Against Defendant)**

28. Plaintiff hereby realleges and incorporates paragraphs 1-27 as previously stated.

29. Plaintiff alleges state law claims against Western pursuant to RCW 49.60 *et seq.* (Washington Law Against Discrimination).

30. The conduct of the Defendant constitutes sexual harassment, hostile work environment, and retaliation, which violates RCW 49.60 *et seq.* (Washington Law Against Discrimination).

31. The harassment was unwanted, unwelcome, offensive, inappropriate, and because of Plaintiff's sex. Moreover, the harassment affected the terms and conditions of Plaintiff's employment and is imputable to Western.

32. Western knew or should have known of the ongoing sexual harassment and failed to take adequate remedial and corrective action to provide Plaintiff with a workplace free of discrimination and harassment.

33. Western's conduct amounted to retaliation because the Plaintiff was engaged in a protected activity, she suffered an adverse employment action, and there is a causal connection between the protected activity and the adverse employment action.

34. As a direct and proximate result of Defendant's conduct and omissions, Plaintiff has been damaged in an amount to be proven at trial.



**PRAYER**

**WHEREFORE**, Plaintiff prays judgment against Defendant as follows:

1. Judgement in her favor;
2. An Order reinstating Plaintiff to her former position, with back pay;
3. Award other appropriate economic/non-economic relief, including compensatory damages and/or front pay as determined by the jury;
4. An Order requiring Defendant to provide Plaintiff neutral reference;
5. Award Plaintiff her costs and attorney fees;
6. Award taxable court costs, including expert fees;
7. Award of prejudgment interest, and for an enhanced award for tax consequences to make Plaintiff whole;
8. Punitive damages assessed against Defendant as provided by law; and
9. For such other and further relief as this Honorable Court deems just and fair.

DATED this 20th day of August, 2024.

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**JURY DEMAND**

Plaintiff demands trial by jury of all issues in this cause so triable.

DATED this 20th day of August, 2024.

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